

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

LINDA MELLEN,)
Plaintiff,)
vs.) CIVIL ACTION NO. 04 - 10644 - MEL
TRUSTEES OF BOSTON UNIVERSITY)
AND FRANCES A. DROLETTE,)
Defendants.)

)

**DEFENDANT BOSTON UNIVERSITY'S RESPONSE TO PLAINTIFF'S FIRST
REQUEST FOR PRODUCTION OF DOCUMENTS**

REQUESTS

1. All documents and communications relating to Plaintiff's employment leave in 2003 (FMLA, SNLA, vacation, sick leave, or any other paid or unpaid leave), including but not limited to communications, including email messages and personal notes, between, among, to or from Drolette, Snowden, Meenan, and/or Chobanian regarding such leave.

Response to No. 1:

Attached, numbered BU 0281 - 0323. Plaintiff is further directed to documents previously provided as part of defendant's Automatic Disclosures.

2. All documents and communications relating to Plaintiff's separation in November 2003, including but not limited to communications, including email messages and personal notes, between, among, to or from Drolette, Snowden, Meenan, and/or Chobanian regarding such termination/ "resignation".

Response to No. 2:

See response to No. 1.

3. All documents relating to the University's personnel/employment policies, practices, and procedures regarding leave under the FMLA and SNLA.

Response to No. 3:

A copy of the Personnel Policy Manual is attached and numbered BU 0324.

4. All documents relating to the University's personnel/employment policies, practices, and procedures regarding employees' returning to work following their extended leave, including but not limited to leave taken pursuant to the FMLA and/or SNLA leave.

Response to No. 4:

Defendant objects to this request on the grounds that it is overbroad, calls for the production of documents not relevant to the lawsuit, and that responding to the request as written would be unduly burdensome. Notwithstanding and without waiving this objection, defendant directs plaintiff to its response to Request No. 3.

5. All documents relating to or otherwise identifying those University employees who were either terminated or determined by the University to have resigned because of their failure to return to their University employment following their extended leave, including but not limited to leave taken pursuant to the FMLA and/or SNLA.

Response to No. 5:

Defendant objects to this request on the grounds that it is overbroad, unlimited in time or scope, seeks confidential information relating to other employees for which an expectation of privacy is afforded, and seeks information that is not relevant to this lawsuit.

6. Plaintiff's personnel file, including but not limited to all documents and communications dated or otherwise created, drafted, or generated from September 18, 2003-present, relating to plaintiff and/or her separation.

Response to No. 6:

Attached, numbered BU 0325 - 0330. Plaintiff is further directed to documents previously provided as part of defendant's Automatic Disclosures.

7. All documents relating to or constituting communications made or received by University employees, including but not limited to Drolette, Snowden, Meenan, Chobanian, Dzidra Knecht, Anita King, Joline Durant, Alice Theresa McDonald, Elizabeth Ollen, William Gasper, Jonathan Howland, and/or Anthony Rini, pertaining to the plaintiff, her employment, her leave in 2003, and/or her separation during the time period January 1, 2002-present.

Response to No. 7:

Attached, numbered BU 0331 - 0347. Plaintiff is further directed to documents previously produced as part of defendant's Automatic Disclosures, and to documents produced in response to other numbered requests.

8. All documents relating to or constituting communications between or among Drolette, Snowden, Meenan, and/or Anthony Rini with respect to Rini's possible employment at the University, from September 2002 to present.

Response to No. 8:

Attached, numbered BU 0348 - 0382.

9. All documents relating to or otherwise identifying legal claims or complaints made by University employees against the University for alleged violations of the FMLA and/or SNLA during the period 1995-present.

Response to No. 9:

Defendant objects to this request on the grounds that it is overly broad, unduly burdensome, seeks publically available documents or information, and seeks information that is not relevant to this lawsuit. Notwithstanding and without waiving this objection, defendant produces documents related to two Federal Court cases, numbered BU 0383 - 0434.

10. All documents and communications relating to the University's transfer, reassignment, or other management of plaintiff's work responsibilities in the period August 1, 2003-present.

Response to No. 10:

Attached, numbered BU 0435 - 0443.

11. All documents and communications between the University and Dzidra Knecht regarding plaintiff during the period January 1, 2003 through the present.

Response to No. 11:

There are no such documents.

12. All documents relating to Drolette's authority as Associate Dean for Finance and Administration in the University's School of Public Health, including but not limited to her personnel authority with respect to the plaintiff.

Response to No. 12:

Defendant objects to this request on the grounds that the terms "authority" and "personnel authority" are vague and ambiguous. Notwithstanding and without waiving this objection, defendant produces the attached documents, numbered BU 0444 - 0451.

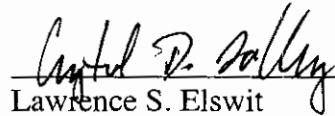
13. All documents relating to or constituting communications between Drolette and Snowden from January 1, 2003-present relating to plaintiff's employment and/or plaintiff's complaints about Drolette's management of plaintiff's employment.

Response to No. 13:

All responsive documents have been produced in response to other numbered requests.

TRUSTEES OF BOSTON UNIVERSITY

By their attorney,



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